

SCOTT N. SCHOOLS (SCBN 9990)  
United States Attorney

MARK L. KROTOSKI (CABN 138549)  
Chief, Criminal Division

WENDY THOMAS (NYBN 4315420)  
Special Assistant United States Attorney

450 Golden Gate Avenue, 11<sup>th</sup> Floor  
San Francisco, California 94102  
Telephone: (415) 436-6809  
Fax: (415) 436-7234  
Email: wendy.thomas@usdoj.gov

Attorneys for Plaintiff

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN FRANCISCO DIVISION

UNITED STATES OF AMERICA, )  
 )  
Plaintiff, )  
 )  
v. )  
 )  
DAVID INIGUEZ, )  
 )  
Defendant. )

Case No. CR 07 0278 MAG

**DECLARATION OF ROBB STICKLEY  
IN SUPPORT OF UNITED STATES'  
MOTION FOR SUMMONS**

I, Robb Stickley, hereby declare as follows:

1. I am a Special Agent with the Office of the Inspector General for the Social Security Administration assigned to this case. This declaration is based upon personal knowledge as well as information received from persons employed by the United States Office of the Inspector General, the Social Security Administration, the Internal Revenue Service, the California Department of Alcoholic Beverage Control, the Sonoma County Clerk's Office, and from reports and other documents provided to me by persons employed by the above offices.

2. In December of 2003, David Iniguez ("Iniguez") applied for Social Security disability benefits, alleging that he became unable to work on April 15, 2003. After the claim was initially denied on May 19, 2004, Iniguez filed a timely request for a hearing and in February of 2005

1 Iniguez was granted disability benefits that were retroactive to April of 2003.

2 3. In the summer of 2006, the Social Security Administration learned that Iniguez was  
3 working as proprietor of *El Brinquito* market in Sonoma, California.

4 4. On or about September 21, 2006, Social Security Administration claims representative  
5 William Topf interviewed Iniguez. During this interview, Iniguez denied having been employed  
6 at *El Brinquito* market.

7 5. On or about September 28, 2006, William Topf called *El Brinquito* market and spoke to  
8 Nancy Iniguez, Iniguez' daughter. Nancy Iniguez informed William Topf that Iniguez works at  
9 *El Brinquito* and runs the business.

10 6. Tax returns for Iniguez list Iniguez as the proprietor of *El Brinquito* and further list  
11 Iniguez as paying the self-employment tax on the earnings from *El Brinquito*.

12 7. The California Department of Alcoholic Beverage Control issued a liquor license to  
13 Iniguez in November of 2001. The license is issued to Iniguez as the "primary owner" of *El*  
14 *Brinquito* market and does not expire until December of 2007.

15 8. The land and buildings on which *El Brinquito* sits were purchased by Iniguez and his wife  
16 in November of 2001. Iniguez also filed an application for the business name "El Brinquito"  
17 with Sonoma County.

18 9. As a result of Iniguez' disability claims, the Social Security Administration paid Iniguez  
19 approximately \$26,357.10 to which he was not entitled.

20 10. I declare under penalty of perjury that the foregoing is true and correct to the best of my  
21 knowledge and belief. Executed May 8, 2007, at San Francisco, California.

22  
23 DATED: May 8, 2007

Respectfully submitted,

24  
25 \_\_\_\_\_/s\_\_\_\_\_  
26 ROBB STICKLEY  
27  
28